

AB:ADG

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA

C O M P L A I N T

- against - (18 U.S.C. § 1708)

FENG CHEN,

20-MJ-337

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

MICHAEL E. SEGNAN, being duly sworn, deposes and states that he is a Postal Inspector with the United States Postal Inspection Service, duly appointed according to law and acting as such.

On or about April 28, 2020, within the Eastern District of New York, the defendant FENG CHEN did steal, take and abstract articles and things from and out of any mail, package, mail route and other authorized depository for mail matter.

(Title 18, United States Code, Section 1708)

The source of your deponent's information and the grounds for his belief are as follows:¹

1. I am a Postal Inspector with the United States Postal Inspection Service (“USPIS”) and have been involved in the investigation of numerous cases involving mail

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

theft. I am familiar with the facts and circumstances set forth below from my participation in the investigation, my review of the investigative file and from reports of other law enforcement officers involved in the investigation.

2. On or about April 28, 2020, in the early morning, New York City Police Department (“NYPD”) officers (“Officer-1” and “Officer-2”)² were on duty in an unmarked police vehicle in the Sunset Park neighborhood of Brooklyn, New York. Officer-1 observed the defendant FENG CHEN discard a mail envelope in the street. Based on the appearance of the envelope, Officer-1 believed that the discarded envelope had contained a credit card or check. Prior to becoming a police officer, Officer-1 worked as a financial services representative for a financial institution.

3. The defendant FENG CHEN walked up to a closed medical office and appeared to look through the office’s medical collection bins. Shortly thereafter, CHEN walked to a nearby building and examined mail left at the door. Then, CHEN walked into the gated area of a different residential building.

4. The defendant FENG CHEN started walking away from the building and saw Officer-1. Officer-1 observed that CHEN was carrying what appeared to be mail. At that point, CHEN discarded mail onto the sidewalk. Officer-1 and Officer-2 left the police car and approached the defendant. The officers identified themselves as police.

5. Upon questioning, the defendant FENG CHEN stated in sum and substance and in part, first that he was delivering food to someone in the building, then that

² Because multiple law enforcement personnel were involved in the incident, I refer to the officers as Officer-1 and Officer-2 for ease of reference. The identities of each of these individuals are known to the affiant, and I have interviewed Officer-1.

he was waiting for someone he knew in the building, and finally that he lived in the building. Officer-1 and CHEN spoke in both English and Mandarin.³

6. The defendant FENG CHEN provided the police with his name and date of birth. The police entered the information into an NYPD database and learned that CHEN had an open bench warrant in New York County for a criminal case involving identity theft. Officer-1 observed a bulge in CHEN's jacket pocket and saw what appeared to be checks. The police arrested CHEN.

7. The officers searched CHEN incident to his arrest. Between that search and an examination of the mail recovered from the sidewalk, the police found multiple checks, nine Economic Impact Payments ("EIP") from the United States Treasury Department, otherwise known as "stimulus payments," credit cards, opened envelopes and letters, all bearing different individuals' names and mailing addresses. Law enforcement authorities have spoken to the intended recipients of two of the EIPs and both intended recipients confirmed that CHEN did not have their permission to possess their mail or EIP.

8. Based on my training, experience and familiarity with the investigation, I believe that the defendant FENG CHEN visited multiple buildings and stole mail belonging to other individuals.

³ Officer-1 is proficient in Mandarin.

WHEREFORE, your deponent respectfully requests that the defendant FENG CHEN be dealt with according to law.


MICHAEL E. SEG NAN
Postal Inspector
United States Postal Inspection Service

Sworn to before me this
____ day of April, 2020

THE HONORABLE CHERYL L. POLLAK
CHIEF UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK